

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>3-11-06</u>		2 Serial/Patent # <u>10/631,901</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
	Notice of Appeal/Appeal			\$							
X	Petition	IFW	1-9-06	\$ 1500							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
		7 TOTAL AMOUNT OF REFUND		\$ 1500							
		8 TO BE REFUNDED BY:									
		Treasury Check									
		X	Credit Deposit A/C #:								
		9	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">1</td> <td style="width: 20px; text-align: center;">6</td> <td style="width: 20px; text-align: center;">--</td> <td style="width: 20px; text-align: center;">0</td> <td style="width: 20px; text-align: center;">8</td> <td style="width: 20px; text-align: center;">2</td> <td style="width: 20px; text-align: center;">0</td> </tr> </table>		1	6	--	0	8	2	0
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10 REASON:											
	Overpayment										
	Duplicate Payment										
	No Fee Due (Explanation):										
<u>We granted petition to withdraw holding of abnd so no fee due</u>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Charles Steven Brantley</u>		TITLE: <u>Petitioner Atty</u>									
SIGNATURE: <u>[Signature]</u>		PHONE: <u>571-272-3203</u>									
OFFICE: <u>Petitions</u>											

THIS SPACE RESERVED FOR FINANCE USE ONLY:											
APPROVED: <u>[Signature]</u>		DATE: <u>3/13/06</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



DAK
7/10

PTO/SB/84 (10-05)
Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Robert L. Morrison

Application No.: 10/631,901

Art Unit: 3724

Filed: July 31, 2003

Examiner: Boyer Dolinger Ashley

Title: COATING FOR A CHAINSAW CHAIN

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to Office action/Election (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1/10/2006 HGUTERA1 00000018 10631901

1 FC:1453

1500.00 OP

Adjustment date: 03/13/2006 CKHLOK
01/10/2006 HGUTERA1 00000018 10631901

01 FC:1453

-1500.00 OP

Repln. Ref: 03/13/2006 CKHLOK 0008330700
DAH:160820 Name/Number:10631901
FC: 9204 \$1500.00 CR

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Ronald M. Kachmarik
Signature

January 6, 2006

Date

Ronald M. Kachmarik
Typed or printed name

34512

Registration Number, if applicable

1801 East 9th Street, Suite 1200
Address

216-579-1700

Telephone Number

Cleveland, Ohio 44114-3108
Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Letter requesting association of the subject application ***CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

January 6, 2006

Date

Ronald M. Kachmarik
Signature

Ronald M. Kachmarik

Typed or printed name of person signing certificate

* with Customer No. 000116 and Request for Refund of all or portion of fee paid to revive.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/631,901
Applicant : Robert L. Morrison
Filed : July 31, 2003
TC/A.U. : 3724
Examiner : Boyer Bolinger Ashley

Title : COATING FOR A CHAINSAW CHAIN

Docket No. : 34887US1
Customer No. : 000116

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

REQUEST FOR REFUND OF ALL OR PORTION OF FEE PAID TO REVIVE

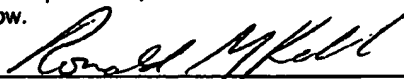
Sir:

It is hereby requested that the fees paid in connection with the revival of the above-identified application be refunded in full or at least in part.

The subject application became abandoned because an Office action dated June 30, 2005, did not reach the applicant's representative. The applicant's representative had moved subsequent to the filing of the subject application. However, the applicant's representative had provided a change of correspondence address for the customer number (000116) of the applicant's representative to the U.S. Patent and Trademark Office. Moreover, the applicant's representative had provided the customer number to the U.S. Patent and Trademark Office for the subject application. Specifically, please see the attached photocopy of a utility application transmittal and an application data sheet that were submitted to the U.S.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Ronald M. Kachmarik
Name of Attorney


Signature of Attorney

01/06/2006
Date

Patent and Trademark Office and which contains the customer number of 000116. Accordingly, it is reasonably believed that the U.S. Patent and Trademark Office should have affected the proper correspondence address for the subject patent application.

As such, it is respectfully requested that the fee associated with the petition be refunded. At a minimum, it is respectfully requested that the difference in fee for unintentional and unavoidable abandonment be refunded.

Please credit the refund to our Deposit Account No. 16-0820, Order No. 34887US1.

Respectfully submitted,
PEARNE & GORDON LLP



Ronald M. Kachmarik, Reg. No. 34512

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44135-3108

216-579-1700

January 6, 2006

Enclosures